

### **REMARKS**

This Amendment seeks to place this application in condition for allowance. Several of the pending claims have been amended in order to more fully and/or definitely claim Applicants' invention. New claims have been added in order to more fully protect Applicants' invention. A Terminal Disclaimer is attached hereto to address the Examiner's concern of obviousness-type double patenting. No new matter has been added.

### **OFFICE ACTION**

In the Office Action dated May 19, 2000, claims 151-156, 159-160, 161-167 and 171-175 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 2-5, 13, 20-23, and 29 of U.S. Patent 6,034,918. Claims 157-158, and 168 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 16-17 and 33 of U.S. Patent 6,034,918.

### **NONSTATUTORY DOUBLE PATENTING**

To address the concern regarding double patenting in light of U.S. Patent 6,034,918 and in an effort to expedite the prosecution of this application, Applicants submit herewith a Terminal Disclaimer executed by the attorney of record in this application. The Terminal Disclaimer is submitted to obviate the double patenting rejection over U.S. Patent 6,034,918. Applicants believe that the Terminal Disclaimer complies fully with the relevant parts of 37 CFR § 1.321.

## **NEWLY SUBMITTED CLAIMS**

The new claims submitted in this Amendment have been added to more definitely and fully protect Applicants' invention. No new matter has been added.

## **INFORMATION DISCLOSURE STATEMENT**

In compliance with the duty of disclosure set forth in 37 CFR §1.56, Applicants submit concurrently herewith an Information Disclosure Statement, a modified Form PTO-1449, and a copy of the documents cited therein. A copy of that Information Disclosure Statement and modified Form PTO-1449 are attached hereto.

Several of the documents listed in the modified Form PTO-1449 have been recently identified by a respondent in a pending ITC investigation, namely in re U.S. International Trade Commission Investigation No. 337-TA-431, Rambus Inc. vs Hitachi Ltd., et al., as prior art against the inventions claimed in the parent patent (i.e., U.S. Patent 6,034,918) of the instant application. An explicit reference to these documents is made in paragraph 17 on page 28, as well as in Exhibit A, of the RESPONSE OF HITACHI LTD. TO THE COMPLAINT AND NOTICE OF INVESTIGATION (hereinafter the "RESPONSE"). A copy of the RESPONSE is also included with the Information Disclosure Statement submitted concurrently herewith.

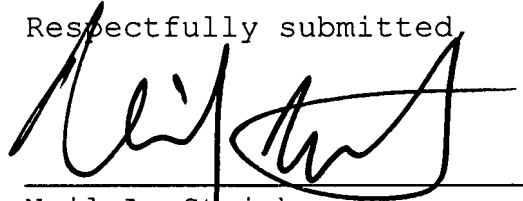
It is respectfully requested that the Examiner make his consideration of the documents cited in the Form PTO-1449 formally of record with the next Action. In accordance with 37 C.F.R. §1.97(c), the fee set forth in 37 C.F.R. §1.17(p) accompanies that Statement.

CONCLUSION

Applicants request entry of the foregoing amendment. Applicants submit that all of the claims present patentable subject matter which definitely set forth the novel and unobvious features of Applicants' invention. Accordingly, Applicants respectfully request allowance of all of the claims.

It is noted that should a telephone interview expedite the prosecution in any way, the Examiner is invited to contact Neil Steinberg at 650-944-7772.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Neil A. Steinberg', written over a horizontal line.

Neil A. Steinberg  
Reg. No. 34,735  
650-944-7772

Date: June 2, 2000

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